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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff,

v.

EEL RIVER INVESTMENT COMPANY,  
STERNE, AGEE & LEACH, INC., et al,

Defendants.

Case No. C4-5623RBL

ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for Summary Judgment and/or Judgment on Partial Finding [Dkt. #446]. The Court has reviewed the motion and supporting materials and SAL's opposition to plaintiff's motion [Dkt. #449]. The Court does not require a reply memorandum from U.S. Bank nor is oral argument required for the Court to resolve this issue.

Plaintiff's Motion for Summary Judgment and/or Judgment on Partial Finding [Dkt. #446] is  
**DENIED.**

Dated this 23<sup>rd</sup> day of December, 2008.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE